

LEGAL ACTION REPORT

TUCSON POLICE AND FIRE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM BOARDS MEETING OF TUESDAY, JANUARY 8, 2008 CITY OF TUCSON FINANCE DEPARTMENT CONFERENCE ROOM FIFTH FLOOR OF CITY HALL 255 W. ALAMEDA, TUCSON, AZ

Ms. Pickens called the meeting to order at 9:00 A.M.

1. ROLL CALL

Police Board Members:

Robert Walkup	- Chair	Absent/Excused
Marion Pickens	- Member	
Joe Ladenburg	- Member	
Mike Gurr	- Member	
JD Kragnes	- Member	Absent/Excused

Fire Board Members:

Robert Walkup	- Chair	Absent/Excused
Marion Pickens	- Member	
Joe Ladenburg	- Member	
Mike McKendrick	- Member	
Roger Tamietti	- Member	

2. POLICE CONSENT AGENDA: ITEMS A – G

A. MINUTES FOR APPROVAL – 11/13/07

B. PENSION PAYROLL – Addition of Normal Service Retirement for Skip L. Woodward out of DROP in the amount of \$ 4,284.04. Addition of Permanent Accidental Disability Pension for Caroline Stover (amount pending).

C. NORMAL SERVICE RETIREMENT

Skip L. Woodward – Last day worked 12/27/07 – Pension effective 01/01/08

D. PERMANENT ACCIDENTAL DISABILITY RETIREMENT

Caroline Stover – Last day worked 12/27/07 – Pension effective 01/01/08

- E. **TRANSFER OF SERVICE**
 Manuel Guerrero – Transferred from City of Tucson to Tucson Police 6.379 years of service for \$54,528.94
 Eric Lucero – Transferred from Pinal County Sheriff to Tucson Police 1.6321 years of service for \$5,624.54
 Angel Ramirez – Transferred from Mesa Police to Tucson Police 1.4100 years of service for \$5,405.95
- F. **REDEMPTION OF PRIOR SERVICE**
 Timothy Beam – 4.003 years of prior service from Salt Lake County Sheriff Department for \$80,470.00.
 Jonathon Aycock – 3.000 years of prior service from the Military in the amount of \$43,684.00
- G. **RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY**

MOTION by Mr. Gurr, seconded by Mr. Ladenburg that Police Board Items A – G are adopted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 3 - 0. (Mr. Walkup and Mr. Kragnes absent/excused).

3. FIRE CONSENT AGENDA: ITEMS A – E

- A. **MINUTES FOR APPROVAL – 11/13/07**
- B. **PENSION PAYROLL – Addition of Normal Service Retirement for Fred O. Contreras out of DROP in the amount of \$ 3,876.21. Addition of Normal Service Retirement for Steve Higginbottom out of DROP in the amount of \$ 2,322.96.**
- C. **NORMAL SERVICE RETIREMENT**
 Fred O. Contreras – Last day worked 12/28/07 – Pension effective 01/01/08
 Steve Higginbottom – Last day worked 12/28/07 – Pension effective 01/01/08
- D. **TRANSFER OF SERVICE**
 Francisco Araiza – Transferred from Rincon Valley Fire to Tucson Fire 0.5667 years of service for \$1,571.96
- E. **RETAINER FEE OF \$400 PLUS COSTS-DAVID McEVOY, ATTORNEY**

MOTION by Mr. McKendrick, seconded by Mr. Tamietti that Fire Board Items A – E are adopted and the appropriate action taken. Motion **CARRIED** by a roll call vote of 3-0. (Mr. Walkup absent/excused)

4. **APPLICATION FOR DISABILITY RETIREMENT EXECUTIVE SESSION**
Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])

Fire – Attachments
Roscoe Ealey

There was no executive session.

5. **APPLICATION FOR DISABILITY RETIREMENT**
Direction regarding Executive Session

Fire
Roscoe Ealey

MOTION by Mr. McKendrick, seconded by Mr. Tamietti that based on the medical evidence provided and letter by Dr. Thrasher dated January 2, 2008 the board approve the application for Permanent Ordinary disability retirement for Mr. Roscoe Ealey to be effective upon separation from the Fire Department. Motion **CARRIED** by a roll call vote of 4-0. (Mr. Walkup absent/excused).

6. **CONSIDERATION OF RULE 17 – ANNUAL PHYSICAL**
EXECUTIVE SESSION Discussion or consideration of records exempt by law from public inspection A.R.S. 38-431.03[2] and discussion or consultation for legal advice with attorney staff A.R.S. 38-431.03 (A [3 & 4])

Fire – Attachments
Larry Stafford - DOR: 02/04/97 DOH: 09/18/89 Last Physical: 02/01/07

There was no executive session.

7. **CONSIDERATION OF RULE 17 – ANNUAL PHYSICAL**
Board Direction Regarding Executive Session

Fire
Larry Stafford

MOTION by Mr. Tamietti, seconded by Mr. McKendrick that in keeping with Board policy of taking a physical every other year Mr. Stafford's requirement be waived and he will no longer be required to take a physical because he will have reached his twenty years on 09/18/09. Motion **CARRIED** unanimously (Mr. Walkup absent/excused).

8. FUND INFORMATION

Police & Fire

There was no action taken under this item.

9. ADJOURNMENT (9:15 A.M.)

The next regular meeting of the Tucson Police and Fire Public Safety Personnel Retirement System Boards is scheduled for **9:00 A.M.** on Tuesday, February 12, 2008, in the Finance Department Conference Room, Fifth floor of City Hall, 255 W. Alameda, Tucson, AZ.

MOTION by Mr. McKendrick, Seconded by Mr. Tamietti to adjourn. Motion **CARRIED** unanimously.

MOTION by Mr. Gurr, seconded by Mr. Ladenburg to adjourn. Motion **CARRIED** unanimously.

